

Town Council Meeting
April 8, 2013

TOWN COUNCIL MEETING

Present: President Gary Cote, Vice-President Kerry McGee, Councilman Jendzejec, Councilman Laboissonniere, Councilwoman Carlson, Town Manager Thomas Hoover, Town Solicitor Frederick Tobin

Pledge of Allegiance led by Eagle Scout Adam Kalunian
Invocation by Councilwoman Carlson
Review of evacuation plan

PROCLAMATION

Vice President McGee presented certificate to Adam Christopher Kalunian upon receiving the designation of Eagle Scout.

PRESIDENT'S COMMENTS

President Cote announced that a benefit will be held this Thursday night for Bill Hall at Nino's and he urged anyone who could to attend and support Bill and his family. Bill is a member of Central Coventry Fire Department, Coventry's emergency management team, Director of the CERT volunteers, a former Town Council member from District 4, serving the Town of Coventry for many years.

Also, a Special Town Council meeting will be held tomorrow night , April 9, at 7:00 p.m. for the following purpose: to loan money to the Special Master of the Central Coventry Fire District for the purpose of extending the time it has to operate in order to allow sufficient opportunity for a plan to protect the citizens of the Central Coventry Fire District and to appropriate money from the Town for said purpose.

CONSENT AGENDA

1. Approving March tax abatements

Motion made by Councilman Jendzejec seconded by Councilman Laboissonniere to approve Consent Agenda. All voted aye.

RESOLUTIONS

1. Requesting the Rhode Island General Assembly to oppose and reject any and all mandatory binding arbitration legislation currently being considered for teacher and other school employee and municipal employee contracts
2. Requesting the Rhode Island General Assembly to oppose and reject any and all mandatory contract continuation legislation currently being considered for teacher and other school employee and municipal employee contracts

Motion made by Gregory Laboissonniere seconded by Karen Carlson to approve Resolutions 1 and 2. Vote taken: Four members vote Aye; Councilman Jendzejec votes no. Motion passes 4-1.

3. Authorizing the Town Manager to enter into a contract for 2013 Summer Bus Transportation Services for the Department of Parks and Recreation with Ocean State Transit at a cost of \$47.50 per hour and \$.65 per mile

Recreation Director Guy Lefebvre explained that bus transportation went out to bid, two bids were received and Ocean State Transit was the low bidder. This is the fourth consecutive year they have won the bid and we have always had a good experience with them.

Motion was made by Vice-President McGee seconded by Councilman Jendzejec to approve resolution. All voted aye.

4. Authorizing the expenditure of allocated impact fees by the Department of Parks and Recreation in an amount not to exceed \$16,000 to match the State grants to complete the site work under the Remedial Action Work Plan at the Historic Mill Workers' House on Washington Street in Anthony Village within the Town of Coventry

Councilwoman Carlson raised questions as to the location of the property and who would be responsible to maintain it. Mr. Lefebvre explained that the building served as a millworker's house and is located across the street from Western Hardware on Route 117 in the Anthony Village section of town. It has been identified under the Anthony Village Revitalization Project as a historical building having had a significant impact in the growth of the village of Anthony. Research was done by the RI Historic and Heritage Commission, they have supported us and this brings us to a point where we are ready to go to bid to restore the home. The \$16,000 funding from impact fees would be used for the remediation work on the premises. Actual construction will be funded through a DOT grant. The Town has not contributed any money to this project, a plan will be developed by DEM, but the \$16,000 we are asking for tonight is to implement a plan to remove soils and provide disposal. After that, the Parks and Recreation Department will maintain the property. It is still far away from being ready for the public until additional funding is secured to restore the home. This is only the first step in the restoration process.

Vice-President McGee voiced concern that after the project is underway, in the end it is going to cost the town money. Mr. Lefebvre assured Council that he will continue to try to secure grants and funding. President Cote remarked that one of his concerns is that if more funding cannot be secured, he doesn't want to see the building just sit and rot away because the project can't move forward. Mr. Lefebvre shares that concern, but his goal is and has been to secure the funding needed to complete the project. Before the house is ready for the public, we will be able to have a walking tour of Anthony Village. The building will be unveiled for its' significant place in history with a plaque on the front, even though you can't enter the building.

President Cote stated that at some point, enough is enough and asked whether Mr. Lefebvre feels he is anywhere near that point now, since Parks and Recreation is responsible for maintaining the expanding bike path, the ball fields, etc. When will this be too much and you find that you cannot service these properties? At some point your department will become overtaxed. I would rather not have this property under the ownership of the Town of Coventry than to have it under our control and not be maintained properly.

Mr. Lefebvre responded that new ball fields are not opening this year, grants are coming in for trail grooming to help with greenway management, but we are a long way from being a community where our parks don't look good. We will have to look at new ways to accomplish some of our work, but are up to the challenge. This house has a small ¼ acre lot and I think we can meet that challenge.

Councilman Laboissonniere asked what Mr. Lefebvre thinks would be the average time to get to the next phase of the project. Mr. Lefebvre replied that this has been labeled a meaningful project, but could take a number of years to get to the next phase.

Councilman Laboissonniere questioned the amount of impact fees allocated to Parks and Recreation. Manager Hoover responded that there is a formula as far as the amount allocated to each department. Impact fees are meant to be spent on a capital basis on projects. This is a town wide initiative and is eligible for use on this building.

Councilman Jendzejec asked if Mr. Lefebvre could possibly work with the historical society to help upkeep the property and Mr. Lefebvre feels certain that once the building is open, there will probably be volunteer efforts.

Motion was made by Vice-President McGee seconded by Councilwoman Carlson to approve resolution. All voted aye.

Before proceeding to the next item on the agenda, Councilwoman Carlson requested that the Town Council reconsider Resolution 8 from the March 25, 2013 Town Council meeting, as she believes there was some confusion. Resolution 8 read as follows: " Approving a Resolution that verifies that the Town Council accepted the Town Manager's recommendation to designate Proposal #1 in both Financial Improvement Plans for the Municipal Employees and Police Officers Pension Funds on November 13, 2012 by Resolution 113-12-4306"

Motion was made by Vice-President McGee seconded by Councilman Laboissonniere to reconsider this resolution. Vote taken 4 Aye, President Cote votes no. Motion passes.

PUBLIC HEARING

Ordinance Amending sub-section 97-8 of the Coventry Code of Ordinances regarding animal nuisance due to animal trespassing, howling, yelping, barking or causing nuisance noise and the keeping of chicken hens and providing for enforcement of same

Councilwoman Carlson stated that this is an existing ordinance, the only change would be an amendment including Section E (1) and (2), stating that “No person shall keep any chicken hens unless they comply with the following restrictions/conditions:

1. The fenced outdoor enclosure must adequately contain the chicken hens and
2. The fenced outdoor enclosure must be kept clean and sanitary at all times

Motion was made by Councilman Jendzejec seconded by Vice-President McGee to open public hearing. All voted aye.

Councilwoman Carlson stated that she proposed this amendment based on biosecurity concerns of the USDA as far as letting chickens roam past their land, into the streets, and potentially cross contaminate other animals.

Animal Control Office, Carolyn Lacombe, asked why this would apply only to chickens and not livestock, as she also sees this as a problem with turkeys, goats, etc. Councilwoman Carlson replied mostly because chickens are free range.

Ms. Lacombe noted that she would like to include livestock in the ordinance and feels it would be beneficial to the town. She also suggested that there be written complaints required as some neighbors don't mind animals/chickens roaming in their yard, leaving some discretion up to the animal control officer.

Solicitor Tobin remarked that he doesn't feel this is a discretionary problem.

Manager Hoover suggested that before a vote is taken, the ordinance should be reviewed by Chief Volpe and Animal Control Officer Carolyn Lacombe.

A motion was made by Councilwoman Carlson seconded by Councilman Laboissonniere to keep the public hearing open, table the ordinance at this time and send it to Police Department for review, with a vote at the next meeting. All voted aye.

ORDINANCES

Amending Chapter 153 of the Ordinances of the Town of Coventry entitled “Licensed Businesses” regarding the closing hours for asphalt plants and cement plants

Councilman Jendzejec explained that this ordinance results from problems in the District 5 area with the asphalt plants. It was brought to our attention that manufacturing plants have no set hours of operation. This ordinance proposes hours of operations and fines for both asphalt and cement plants.

A motion was made by Councilman Jendzejec seconded by Councilman Laboissonniere to advertise the ordinance for public hearing. Vote taken: 3 Aye; President Cote and Vice-President McGee vote no. Motion passes 3-2.

Amending Article 6 of Section 600 – Schedule of Zoning District Use Regulations Subsection 3 entitled “Industrial Manufacturing” by adding zoning for Manufacturing of Asphalt and Asphalt Products

Motion was made by Councilman Jendzejec seconded by Councilman Laboissonniere that ordinance be sent to Planning for further review and recommendation. All voted aye.

PUBLIC COMMENT

John Assalone commented on several items, namely violation of a court order regarding the asphalt plant, hours of operation regarding manufacturing, the opinion of our Town solicitor that these plants were considered manufacturing. He feels substantial fines should be put in place where the court order is violated.

In addition, Mr. Assalone is concerned that Mr. Baird not be granted a special exception he is requesting to expand and extend his business to move a mulch operation. That would result in bringing in mold, more problems and devaluation of surrounding properties.

Senator Raptakis, 2080 Nooseneck Hill Road, advised that he will assist Councilman Jendzejec in crafting state legislation. President Cote asked that legislation be made statewide rather than just specific to Coventry. Coventry shouldn't be signaled out; this should include the

whole state of Rhode Island. If it's fair for Coventry, then it's fair for everyone else.

Senator Raptakis replied that other plants around the state have no problems, the problem is in Coventry. This ordinance is to help the town of Coventry. I want to address the problems in Coventry and do not wish to step on toes in other towns.

Steven McCaffrey, Lantern Lane, would like the Town Council to consider regulating the placement of basketball courts in the streets. There are three that currently exist on Lantern Lane with only twelve houses on the road. It is noisy and kids are always playing in the streets.

Ron Gizzarelli, 50 Harrington Road, commented that it is difficult to get anything done in the legislature unless it is specific to one town. In addition, he is waiting for a meeting of the Central Coventry Fire District with the Town Council in a forum where everyone interested can sit, talk and offer solutions to this problem. He also asked for support of Representative Guthrie's Bill H 5176.

Rick Kalunian, 607 Blackrock Road, feels the town needs to step up, get fire district situation needs under control and find a long term solution.

Randall Kelly, 19 King Phillip Road, disagrees that the town should support Central Coventry Fire Department for another two weeks. This district is too far out of control. That bill has to be paid and I feel it is the responsibility of the Board who was in charge of all that money, just as the Town Council is responsible for the town's money. This should not be on the back of the taxpayers to take care of a mistake that group of other people made.

With regard to the asphalt plants, he thinks that the Pawtuxet River is being affected and DEM should investigate it.

Councilman Laboissonniere suggested a work session to study the pension obligation.

Motion made by Councilman Jendzejec seconded by Councilwoman Carlson to adjourn meeting. All voted aye.

Town Clerk